



CASE CT-2645

CERTIFICATE OF MAILING

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Samuel J. DuBoff
Type or print name

Signature

November 15, 2002
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

EXAMINER: Rebecca L. Anderson

YU ET AL.

ART UNIT: 1626

APPLICATION NO: 09/994,012

FILED: NOVEMBER 16, 2001

FOR: HETEROCYCLIC SUBSTITUTED 2-METHYL-BENZIMIDAZOLE
ANTIVIRAL AGENTS

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to the office action mailed October 17, 2002 having a one month period for response which expires on November 18, 2002 (since November 17, 2002 falls on a Sunday).

Election/Restriction Requirements

Applicant provisionally elects with traverse to prosecute Group I; namely, claims 1-8 and 10. It is understood that claim 9, directed to the method of using the compounds of claims 1-8 to treat RSV infection, can be included with commensurate scope at a later time during prosecution after allowable subject matter is found.

Regarding election of a species, this is compound example 188 on page 199 of the specification.

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